UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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Ex parte LLOYD ADAMS and MERLIN REYNOLDS

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Appeal 2012-003794
Application 09/765,137
Technology Center 3600

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Before MURRIEL E. CRAWFORD, BIBHU R. MOHANTY, and
MICHAEL W. KIM, *Administrative Patent Judges*.

MOHANTY, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

The Appellants seek our review under 35 U.S.C. § 134 (2002) of the final rejection of claims 1, 3-7, and 9-20, which are all the claims pending in the application. We have jurisdiction under 35 U.S.C. § 6(b) (2002). Oral arguments were presented on December 11, 2012.

SUMMARY OF THE DECISION

We AFFIRM.

THE INVENTION

The Appellants' claimed invention is directed to a network based loan origination system that produces loan documents associated with an approved loan request (Spec. 1:9-12). Claim 1, reproduced below, is representative of the subject matter on appeal.

> 1. A system for producing and sending a loan document to a customer, the system comprising:
> a web-enabled customer interface which receives loan information from the customer;
> multiple branch terminals configured for receiving the loan information at branch locations;
> a network coupled to the customer interface and the branch terminals, the network receiving the loan information from at least one of the customer interface and the branch terminals;
> a web site coupled to the network, the web site prompting the customer to enter the loan information, receiving the loan information, and merging the loan information with a loan application form to produce a loan application;
> a loan processor computing system hosting the web site and storing the loan application form, the loan processor computing system receiving the loan application and automatically

performing a credit check on the customer based on the loan
application, wherein the loan processor computing system performs
the credit check by sending the loan application to a credit
approval agency, the loan processor computing system determining
whether the loan application is approved;

a loan forms database storing forms used in the creation of loan
documents; and a

loan document creation server coupled to the loan processor
computing system and the loan forms database, wherein the loan
processor computing system, upon approving the loan application,
automatically forwards the loan application to the loan document
creation server, the loan document creation server accessing the loan
forms database and automatically generating and sending the loan
document to the customer, based on the loan application and the
accessed loan forms in the loan forms database, the loan document
creation server sending the loan document to the customer through
one of email, facsimile, the network, , and a printer coupled to a
network.

THE REJECTIONS

The Examiner relies upon the following as evidence in support of the
rejections:

Cohen	US 5,740,035	Apr. 14, 1998
Norris	US 5,870,721	Feb. 9, 1999
Lebda	US 6,385,594 B1	May 7, 2002
Riseman	US 7,395,239 B1	Jul. 1, 2008

The following rejections are before us for review:

1. Claims 1, 3-6, 14-15, and 17-20 are rejected under 35 U.S.C.
§ 103(a) as unpatentable over Riseman, Lebda, and Norris.

2. Claims 7, 9-13, and 16 are rejected under 35 U.S.C. § 103(a) as
unpatentable over Riseman, Lebda, Norris, and Cohen.

FINDINGS OF FACT

We find that the findings of fact used in the Analysis section below are supported at least by a preponderance of the evidence[1].

ANALYSIS

Claims 1, 3-6, 14-15, and 17-20

The Appellants first argue that the rejection of claim 1 is improper because the prior art does not teach or suggest "merging the loan information with a loan application form to produce a loan application" (Br. 17-19, Reply Br. 15-16). In contrast, the Examiner has determined that this is taught by Riseman at 4:37-5:17 (Ans. 5).

We agree with the Examiner in this regard. The cited claim limitation is broad enough to meet by the disclosure of Riseman cited by the Examiner in which loan data is simply entered at a website.

The Appellants secondly and thirdly argue that the prior art fails to disclose or suggest "multiple bank terminals configured for receiving the loan information at branch locations" (Br. 20-22, Reply Br. 17-19) or "sending a loan application to a credit agency" (Br. 22-25, Reply Br. 19-22). In contrast, the Examiner has determined that this is shown in Lebda (Ans. 5).

We agree with the Examiner in this regard as well. Lebda in Fig. 7 shows multiple lending institutions which serves as "multiple bank terminals". Regardless, the use of multiple bank terminals would have been well known to one of ordinary skill in the art in the cited combination.

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[1] *See Ethicon, Inc. v. Quigg*, 849 F.2d 1422, 1427 (Fed. Cir. 1988) (explaining the general evidentiary standard for proceedings before the Patent Office).

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Lebda also shows contacting a credit agency to get a Fair Isaac score (Fig. 5), and the known use of sending a loan application to a credit agency would have been an obvious modification in the cited combination to approve the loan by a third party with such expertise.

The Appellants further argue that the prior art does not show or suggest a loan forms database storing forms used in the creation of loan documents (Br. 25-26, Reply Br. 23-24). First, we note that the contents of the actual forms would be non-functional descriptive material. Regardless, Riseman has shown that loan information is entered at a website, and thus the website itself would be broadly considered a "loan form" meeting the cited claim limitation.

The Appellants further argue that the prior art does not teach or suggest a loan document creation server coupled to the loan processor computing system and loan forms database (Br. 26-27, Reply Br. 24-25), but we disagree as the cited website form filled by the customer would include being connected to a server in some manner in the combination, or would have been obvious in the cited combination.

The Appellants lastly argue that there is no reason for the suggested modification of Riseman, Lebda, and Norris (Br. 28-29, Reply Br. 25-27). We disagree with the Appellants and adopt the Examiner's rationale put forth in the Answer at pages 5-6 of the Answer. The Examiner has provided the same arguments for claims 3-6, 14-15, and 17-20 and the rejection of these claims is sustained for these same reasons.

Claims 7, 9-13, and 16

With regards to claim 7, the Appellants initially note that the taking of Official Notice in some regards is traversed (Br. 30-31). The Brief fails to point show where in prosecution that this traversal was seasonably presented.

Regardless, the Appellants first argue that the features of analyzing the received loan information for completeness and prompting the customer if the received loan information is incomplete is not shown in the prior art (Br. 31), but like the Examiner, we consider this feature to be well known in the art and if not well known in the art then to have been obvious. The Appellants also argue that the prior art does not show mailing the customer a check for the loan contract, with cashing of the check being an indication of acceptance on part of the customer. Again, we agree with the Examiner that such a step is well known in the art, but regardless the step would have been obvious. The Appellants have also argued that Cohen is not an analogous art, but the reference does relate broadly to the users use of a computer and filling out information, which is pertinent to the cited combination of references. For these reasons the rejection of claim 7 and its dependent claims not separately argued is sustained.

CONCLUSIONS OF LAW

We conclude that Appellants have not shown that the Examiner erred in rejecting the claims listed in the Rejection section above.

DECISION

The Examiner's rejection of claims 1, 3-7, and 9-20 is sustained.

AFFIRMED

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